

COMMONWEALTH OF PENNSYLVANIA

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WEDNESDAY, JUNE 9, 1999

SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 33

SENATE

WEDNESDAY, June 9, 1999

The Senate met at 11:30 a.m., Eastern Daylight Saving Time.

The PRESIDENT pro tempore (Robert C. Jubelirer) in the Chair.

PRAYER

The Chaplain of the Senate, Hon. MARK R. CORRIGAN, offered the following prayer on behalf of Rev. CHARLES PERSING, pastor, St. Patrick's Cathedral, Harrisburg:

Gracious and giving God, infinite in power and majesty, we turn to You this day asking that You grant to us, Your servants, wisdom, justice, and mercy. As we serve the people of this Commonwealth, may You see and love in us what we have come to see and love in You.

Send Your blessings upon the people of this great State. Protect the Members and the families of the Members who work here and all the people. Help them to make wise and prudent decisions. Guide them on the path that will bring good to all they serve. May they enjoy Your gifts of happiness, health, peace, understanding, and long life. May the good work You have begun in them bring to fulfillment. Amen.

The PRESIDENT (Lieutenant Governor Mark S. Schweiker) in the Chair.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 8, 1999.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Senator LOEPER, further reading was dispensed with and the Journal was approved.

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 832, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

RESOLUTION INTRODUCED AND REFERRED

The PRESIDENT laid before the Senate the following Senate Resolution numbered, entitled, and referred as follows, which was read by the Clerk:

June 9, 1999

Senator FUMO presented to the Chair SR 84, entitled:  
A Resolution declaring the week of June 7 through 13, 1999, as "Drug Treatment Court Week."

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 9, 1999.

REPORTS FROM COMMITTEE

Senator GERLACH, from the Committee on Local Government, reported the following bills:

SB 706 (Pr. No. 766)

An Act amending the act of July 28, 1953 (P.L.723, No. 230), entitled, as amended, Second Class County Code, providing for an operating reserve fund.

SB 708 (Pr. No. 768)

An Act amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, The Second Class Township Code, providing for compensation of auditors for attendance at conferences, institutes, schools and conventions.

HB 76 (Pr. No. 1989) (Amended)

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for increase in hotel tax of certain counties; establishing the Southwestern Pennsylvania Convention Center Design Commission; imposing restrictions on activities of design commission members and employees; providing for design of convention center; providing for certain assessments and adjustment of tax rates; and making repeals.

HB 157 (Pr. No. 1806)

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for supervisors and for auditor's compensation.

**HB 197 (Pr. No. 188)**

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for the valuation of persons and property.

**LEGISLATIVE LEAVE**

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, I request a legislative leave for today's Session on behalf of Senator Piccola.

The PRESIDENT. Senator Loeper requests a legislative leave for Senator Piccola. Without objection, that leave is granted.

**CALENDAR****SB 999 CALLED UP OUT OF ORDER**

**SB 999 (Pr. No. 1158)** -- Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 999 (Pr. No. 1158)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, extending the termination date of provisions relating to the Pennsylvania Veterans' Memorial Commission.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

**YEA-50**

Armstrong	Greenleaf	Mellow	Stout
Belan	Hart	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tilghman
Boscola	Hughes	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Wagner
Conti	Kasunic	Punt	Waugh
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Dent	La Valle	Salvatore	Williams
Earll	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

**NAY-0**

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR ROBERT D.  
ROBBINS PRESENTED TO THE SENATE**

The PRESIDENT. At this time Senator Robbins will introduce an important guest who is with us in the Senate today, a Medal of Honor winner, as well as members of his company. Having said that, the Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, I am deeply honored to have a very special group of people, men and women, with us today.

Begun in the shadow of World War II, waged in a foreign land and concluded not with the enemy's surrender but with a negotiated armistice, the Korean War gave most Americans little to remember and much to forget. But for the 1.5 million U.S. men and women who served there and the families and friends of those who did not return, the Korean War could never be the forgotten war.

The end of the Cold War has brought renewed interest in the conflict that helped determine its course and has generated a new appreciation for the contributions of those who left home to aid in the struggle against aggression.

Only 5 years had passed since the end of World War II when a war-weary United States found itself again embroiled in a major international conflict. In the early morning hours of June 25, 1950, the communist government of North Korea launched an attack into South Korea. For 3 years the fighting raged until at last an uneasy peace returned to the region with a negotiated settlement that reestablished the earlier boundary between north and south. One and a half million American men and women, a cross-section of our nation's population, struggled side-by-side during the conflict.

Mr. President, with us today we have the first to see action, EASY Company, Company E, 2nd Battalion, 5th Marine Regiment, one of 27 rifle companies in the 1st Marine Division in Korea from August 1950 to July 1953. These companies, each with about 200 Marines, made up barely 25 percent of the total strength of the division, but they were the cutting edge. The first combat organization from the continental United States to see action was the 1st Provisional Marine Brigade, a ground-air team made up of the 5th Marines and Marine Aircraft Group 33.

On September 13, 1950, this provisional organization was disbanded and its units returned to their parents, the 1st Marine Division and the 1st Marine Aircraft Wing, but preparations were already underway for the amphibious assault on Inchon. From September 15, D-Day at Inchon, through the capture of this port city, then on to Kimpo airfield, and the capital city of Seoul, the world watched and marveled as the defeats of July and August were reversed by the master stroke of the strategic turning movement at Inchon. The U.S. Eighth Army, with these Marines in the lead, and I think you know this is tough for me to say, seemed unstoppable. The war, they thought, would soon be over.

These men also fought at the epic of the Chosin Reservoir. The story of the "Chosin Few" - Marines, Navy Corpsmen, United States Army personnel, and the British Royal Marines who shared that experience - is a true military epic partly because all who were there, not only the men of the rifle companies but the others shared the same experiences and contributed to the final success.

Mr. President, I am honored that one of the 131 who were awarded the Medal of Honor, our nation's highest commendation for combat bravery, is here with us today. Duane Dewey earned his medal at Outpost 3 on April 16, 1953. And also with us today is Arthur Barbose, who earned the Navy Cross that same day in the same battle, and there were two others who earned the Navy Cross as two machine gun crews helped save the day. Along with them is Bill Floyd, today the president of the group, and then as I say and Bart Dauberman agreed with me, he was a rifleman and a BAR man and is with us here today on the floor, he was the one who was protecting those machine gunners. But we all know on the floor, and particularly those of us who have been in the military, to have three Navy Crosses and one Medal of Honor in a single battle, we know the intensity and the price paid.

In addition, as I said before, he is accompanied here by more than 100 other Korean War veterans who are here in Harrisburg for their national convention.

Mr. President, on behalf of the gentleman from Dauphin, Senator Piccola, who could not be with us today, I, as the chairman of the Committee on Military and Veterans Affairs, am pleased to introduce to the Senate the Pennsylvania Korean War veterans and of course the Medal of Honor winner who is with us today. We also have Bart Dauberman of Dauphin County, Jim Pella of Allegheny County, Senator Murphy's constituent, Joe Reidinger of Northumberland County, Senator Helfrick's constituent, and Dan McEarchen of Mercer County, my constituent, joining us.

And if I could, Senator Piccola had a citation made for them, and I am going to read only one part of it, that which I think is most important. For those of us who have served with infantry companies, the grunts, as we say: *(Reading)*

Whereas, Of the more than fourteen hundred soldiers who were in EASY Company during the war, more than sixty percent were killed or sustained injuries and only one hundred fifty men are alive today. Many were cited for valor under fire, many more received Purple Hearts and one obtained the Medal of Honor. All of the Marines of this company served the United States well during the war and are truly deserving of praise and recognition for their heroic and courageous deeds.

And, Mr. President, if I can add as a summation, Duane Dewey, whom I am greatly honored to have with us today, was also the first Medal of Honor winner from the Korean War to receive his award from President Eisenhower. We also have the rest of the company and their spouses and friends with us in the gallery, and if we could give them a warm Senate welcome.

The PRESIDENT. Thank you, Senator Robbins, and if Mr. Dewey, other medal winners, and our veterans would please stand so the Senate may extend to you its usual warm welcome.

*(Applause.)*

The PRESIDENT. Thank you so much for your interest and effort in being with us today, and of course we are grateful for your remarkable effort and know that the medals are richly deserved because of that special effort.

Again, thank you, Senator Robbins, and thank you, veterans, for being with us for this short time.

#### GUEST OF SENATOR JAMES J. RHOADES PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Mr. President, first I would like to extend my congratulations to our Marine heroes, because I think it is what they have done that enables me to stand here to recognize a man, a young man, who has excelled himself in an area that they have, how shall we say, provided us the opportunity to have.

Special thanks to Senator Loeper and to Senator Bell for allowing me to introduce and recognize a very special and exceptional man, the 1998 National Principal of the Year, Dr. Michael J. Pladus. And I do this not only as chairman of the Senate Committee on Education, but I have to tell you that Dr. Pladus is a native of Shenandoah, which is in my district, and if anybody knows the history of competition between Shenandoah and Mahanoy City, that is a battle. I know the Lieutenant Governor does because he went to school with one of the Shenandoahites, but there is such competition there, and it is probably one of the best around.

But this young man I not only happen to know and follow his exploits, but I also coached him in an all-star football game, so I know him even more personally. And what I want to say to Dr. Pladus is on behalf of the Commonwealth, Delaware County, and Interboro, and I want you to know that Shenandoah and Schuylkill County are extremely proud of you in sharing your achievement because you have always been a special individual. As I said, our local newspapers put some nice big, bold headlines in, but I think what points to the article in there was the fact that his assistant coach said, "Mike was a kid who could do anything. He always went above and beyond the call. When I think of some of the top students I have ever had, he always comes to mind."

Another one, too, is I think this is where he learned to be a principal and make things happen. When he came back from Kutztown and was working in the summer as a student, they gave him a job in the community recreation program. He set up playground games, tot lot games, basketball tournaments, mini olympics, and arts and crafts, all on a limited budget of \$200 or \$300. I think he learned how to be inventive at that particular time.

But I think maybe what summarizes it best is that the reason for Dr. Pladus's success is that he made the best of everything. Instead of complaining about something, he helped to fix it, and that is the kind of leadership that has earned him the National Principal of the Year award.

I would like to read the citation:

Whereas, Michael J. Pladus, EdD, principal of Interboro Senior High School in Prospect Park, is being honored upon receiving the prestigious 1998 National Principal of the Year award, which was presented by the National Association of Secondary School Principals and the Metropolitan Life Insurance Company, and

Whereas, A 1976 graduate of Shenandoah Valley High School, where he excelled as a scholar-athlete, —Let me add to that he was an Honor Society student, and he lettered in football, wrestling, and baseball— Dr. Pladus has enhanced the quality of education at Interboro Senior High School —with 1,200 students, 9 through 12— since beginning his tenure there in 1993. In addition to raising the school's spirit, enthusiasm and public image, he has been instrumental in instituting mandatory algebra and geometry courses, providing Internet and computer access to the school, establishing a peer tutoring program, and encouraging students to volunteer for local charitable efforts. Under his leadership, Interboro's SAT scores have risen and the school was designated as a Pennsylvania School of Distinction, as well as being nominated as a National Blue Ribbon School. Additionally, Dr. Pladus has focused on extracurricular activities, leading students to become more involved in clubs, sports and other activities. Interboro sports teams have won Delaware Valley Conference or league championships in football, boys' and girls' cross country, boys' basketball, girls' swimming and softball, and the band captured a Delaware County Marching Band Championship.

Now therefore, the Senate of the Commonwealth of Pennsylvania congratulates Michael J. Pladus, EdD, on the great honor which has been bestowed on him; offers sincere best wishes for continued success and dedication to educational excellence in the years to come;....

Dr. Pladus, it gives me great pleasure to present this on behalf of Senator Bell, Senator Loeper, myself, and the entire Senate to say thank you for a job not only well done but above and beyond the call of duty. Thank you.

The PRESIDENT. Thank you, Senator Rhoades, and Dr. Pladus, would you please stand so the Senate may acknowledge your presence with applause.

(Applause.)

The PRESIDENT. Dr. Pladus, a reply is appropriate.

Dr. PLADUS. I just wanted to formally thank all of the Members of the Senate, especially Senator Bell, Senator Loeper, and Senator Rhoades, for what is a tremendous honor for me, my family, my high school, and certainly for all of the principals I represent.

I know that you know Senator Rhoades as a longstanding statesman and long-time Member of the Senate. Back home in Schuylkill County we remember him as Football Coach Rhoades and Junior High School Principal Rhoades. I was going to remark he told me that State Senators are fearless people, and the only people whom you perhaps fear is the specter of coming face-to-face with your former high school principal or your former middle school principal.

I did just want to make a personal comment, kind of an interesting observation of sorts. This was not planned, but in terms of personal background, Senator Rhoades may know this, my father was a Korean War veteran and, in fact, after being wounded and surviving a stint of duty in Korea, he met my mother, who was a Japanese war bride, and came back to work in the coal mines of Schuylkill County. He ended up getting the break of his life, which back then in the 1960s in the coal region was a union construction job, and unfortunately he died very young on the job at the age of 38, leaving myself and my sister to be raised by a Japanese woman in the coal region. As a result

of a strong school system and a strong State college, it opened up tremendous opportunities and the doors to a doctorate at Columbia.

What I think makes it interesting sitting here is I think to the left is a very, very proud past, meaning the service of veterans who have given more than any of us could ever imagine, and looking up to the gallery you see Pennsylvania's future in terms of schoolchildren who are here in the Senate, and it was just such a powerful image to see a very, very proud heritage of service and to see another generation who hopefully will come along, and I just would simply like to, from the bottom of my heart, thank Senator Loeper, Senator Bell, Senator Rhoades, and the entire State Senate for the honor that you have given us this morning.

Thank you very much.

The PRESIDENT. Thank you, Dr. Pladus.

(Applause.)

The PRESIDENT. Thank you, Dr. Pladus, for the references both to the presence of the schoolchildren and our esteemed veterans.

Senator RHOADES. Mr. President, I would like to add that accompanying Dr. Pladus are his children, Mallory, Casey, and Neil; his brother-in-law, Ed Tobin; and Ed's son, Ed Tobin, Jr. Also here are Tom Shivetts, the executive director, and Joe Aciri from the Pennsylvania Association of Secondary School Principals.

Thank you for being with us today.

(Applause.)

The PRESIDENT. Senator Rhoades, thank you for those acknowledgments.

I believe you have a Page you would like to present to the Senate.

#### GUESTS OF SENATOR JAMES J. RHOADES PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Mr. President, this is a very busy day for me. I do have a Page here. Her name is Kristen Kester from Mahanoy Area School, where I used to be the principal. Kristen is on the honor roll, participates in the band, and just made the senior high school band. She is a member of the choir, the intermediate theater of arts, the newspaper, swim team, and just received a merit award for a 100-percent average in history, and she is carrying a grade-point average of 3.8. She is also an altar server in the church and helps with activities at her brother Josh's preschool.

You say, why all this? She is also my niece, and so we are happy to have her here today as a Page to see her Uncle Jim and his colleagues in action. Accompanying her in the gallery are her mother, Candis Kester, my sister; my nephew Josh; and my boss, my buddy - my mom. They are all here today, so I would appreciate it if the Senate would extend its usual warm welcome.

The PRESIDENT. Would our special guests, Senator Rhoades' mother and family members, please rise so the Senate may welcome you.

(Applause.)

#### GUESTS OF SENATOR NOAH W. WENGER PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Wenger.

Senator WENGER. Mr. President, we have in the gallery four distinguished gentlemen from my senatorial district in Lancaster County who came to visit the Capitol here today, and I would like to introduce them. They are Mr. Samuel Stoltzfus and Mr. Richard Eby, both from the borough of Terre Hill, Mr. Jim Spangler from Narvon, and Mr. Anthony Golas from Ephrata. They are in the gallery today, and I am pleased to present them to the Pennsylvania Senate.

The PRESIDENT. Would our Lancaster County guests please rise so the Senate may welcome you.

(Applause.)

#### GUEST OF SENATOR MIKE WAUGH PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I have a guest Page here today also. I would like him to stand, if he could. His name is David Tucker. David is a 12-year-old from the Dallastown Area School District in York County, who was quick to remind me he will be 13 in July. David is also an accomplished musician who participates with the junior symphony, and plays the violin, the trumpet, and the piano, just to mention a few. He is a Boy Scout First Class, participated in the State geography bee this past year, and he is here today to see how the Senate operates. I would appreciate if the Senate would give him its usual warm welcome.

The PRESIDENT. Would the Senate please welcome David.  
(Applause.)

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Schwartz.

Senator SCHWARTZ. Mr. President, I just wanted to add my congratulations and words of support and am pleased to see that the veterans of the Korean War are here. I am the daughter of a veteran of the Korean War. My father served in the Korean War from 1951 to 1953. I was 3 years old, my brother 4 1/2, and my sister was 2, so I think my mother had a bit of a time being on her own while my father served for 2 years in the Korean War, but I will tell him that we acknowledged you today, and as the daughter of a Korean War veteran, I am pleased to share my support and honor for your courage in serving this country.

Thank you.

#### REQUEST FOR RECESS

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, at this time I request a recess of the Senate, first for a meeting of the Committee on Rules and Executive Nominations to be held immediately in the Rules room at the rear of the Senate Chamber, to be followed immediately by a Republican caucus to be held in the first floor caucus room, with an expectation of returning to the floor at approximately 2 p.m.

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, at the conclusion of the meeting of the Committee on Rules and Executive Nominations, I ask the Democratic Members to report to our caucus room on the fourth floor, Room 461.

#### SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet imminently in the Rules room during today's Session to consider Senate Bill No. 832, Senate Resolution No. 81, Senate Resolution No. 84, and certain nominations.

#### RECESS

The PRESIDENT. For a meeting of the Committee on Rules and Executive Nominations, to be followed by both Republican and Democratic caucuses, this Senate stands in recess.

#### AFTER RECESS

The PRESIDENT. The time of recess having expired, the Senate will come to order.

#### REPORT FROM COMMITTEE

Senator LOEPER, from the Committee on Rules and Executive Nominations, reported the following bill:

#### SB 832 (Pr. No. 1185) (Concurrence)

An Act redesignating a portion of the Lackawanna Valley Industrial Highway, SR 0006, as the Governor Robert P. Casey Highway; designating the Olyphant on and off ramp, Exit 2 of the Lackawanna Valley Industrial Highway as the Representative Joseph G. Wargo Exit; and designating a section of U.S. Route 11 in Columbia County as Columbia Boulevard.

#### RESOLUTIONS REPORTED FROM COMMITTEE

Senator LOEPER, from the Committee on Rules and Executive Nominations, reported the following resolutions:

#### SR 81 (Pr. No. 1196) (Amended)

A Resolution designating the week of June 5 through 12, 1999, as "Riverweek" in this Commonwealth in recognition of the value of Pennsylvania's rivers and streams and the efforts of Pennsylvania citizens who are committed to preserving water resources.

**SR 84 (Pr. No. 1194)**

A Resolution declaring the week of June 7 through 13, 1999, as "Drug Treatment Court Week."

The PRESIDENT. The resolutions will be placed on the Calendar.

**LEGISLATIVE LEAVES**

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Belan, Senator Bodack, Senator Fumo, Senator Musto, and Senator Stapleton.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Belan, Senator Bodack, Senator Fumo, Senator Musto, and Senator Stapleton. Without objection, those leaves are granted.

The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I ask for temporary Capitol leaves for Senator Loeper and Senator Robbins.

The PRESIDENT. Senator Brightbill requests temporary Capitol leaves for Senator Loeper and Senator Robbins. Without objection, those leaves are granted.

**CONSIDERATION OF CALENDAR RESUMED****SB 886 CALLED UP OUT OF ORDER**

**SB 886 (Pr. No. 1179)** — Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

**BILL REREPORTED FROM COMMITTEE  
AS AMENDED ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 886 (Pr. No. 1179)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 11, 1971 (P.L.104, No.3), entitled, as amended, Senior Citizens Rebate and Assistance Act, further defining income to exclude a portion of railroad retirement benefits and Federal Social Security benefits; payment of claims; and making a repeal.

On the question,

Will the Senate agree to the bill on third consideration?

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Salvatore.

Senator SALVATORE. Mr. President, I am extremely happy today to report that we are finally doing something to help our seniors with this senior citizen property tax rebate. It has been a long time in coming. I think we are going to be able to help, with increases and new people on the rolls, about a half-million

senior citizens, and I hope that we have a unanimous vote for this piece of legislation.

Thank you.

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

**YEA-50**

Armstrong	Greenleaf	Mellow	Stout
Belan	Hart	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tilghman
Boscola	Hughes	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Wagner
Conti	Kasunic	Punt	Waugh
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Dent	LaValle	Salvatore	Williams
Earl	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

**NAY-0**

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

**BILL ON CONCURRENCE IN  
HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 646 (Pr. No. 1177)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), entitled Second Class County Port Authority Act, further providing for membership on the authority board, for removal of authority board members, for a quorum for board meetings and for eating and drinking in certain transit stations.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 646?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 646.

On the question,  
Will the Senate agree to the motion?

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Hughes and Senator Wozniak.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Hughes and Senator Wozniak. Without objection, those leaves are granted.

And the question recurring,  
Will the Senate agree to the motion?

The yeas and nays were required by Senator BRIGHTBILL and were as follows, viz:

YEA-30

Armstrong	Greenleaf	Mowery	Thompson
Bell	Hart	Murphy	Tilghman
Brightbill	Helfrick	Piccola	Tomlinson
Conti	Holl	Punt	Waugh
Corman	Jubelirer	Rhoades	Wenger
Dent	Lemmond	Robbins	White
Earl	Loeper	Salvatore	
Gerlach	Madigan	Slocum	

NAY-20

Belan	Hughes	Mellow	Stout
Bodack	Kasunic	Musto	Tartaglione
Boacola	Kitchen	O'Pake	Wagner
Costa	Kukovich	Schwartz	Williams
Furno	La Valle	Stapleton	Wozniak

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 456 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 8 (Pr. No. 1902) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for continuing professional development and for a program for continuing professional education; and providing for national board certification.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Mr. President, for the past several years, the General Assembly, the administration, and the State Board of Education have been working to improve Pennsylvania's system of continuing education for educators. We have considered a number of different proposals, we have studied a dozen different options, and we have labored to find a balance that would not only make the improvements we all seek, but also garner the votes necessary to transform a good idea into reality.

Today I believe we found that balance. House Bill No. 8, as amended in the Senate Committee on Education, requires that all Pennsylvania educators complete 6 credits or 180 hours of continuing professional education every 5 years. It continues to require that local schools form committees to construct local professional education plans listing continuing professional education options that count towards the 180-hour requirement, and it requires that the Department of Education provide a reasonable number of free programs that will also count towards the 180-hour requirement. In addition, the bill ensures that courses and programs that count towards the 180-hour requirement are high quality by establishing a process through which the Department of Education approves the provider of these courses. And finally, House Bill No. 8 establishes an efficient and accessible system of recordkeeping and reporting within the Department of Education.

Mr. President, this is a good bill, a bill that can accomplish the reforms in professional education that we all seek, a bill that I believe we can pass. Thanks to the hard work of the administration, the Department of Education, our colleagues in the House, and Members of the Senate, I believe we have found a proper balance in this initiative. I respectfully ask my colleagues to vote for progress today, to vote for a bill that can dramatically improve the current system of professional education, to vote for a bill that can pass before the summer recess.

I ask for an affirmative vote on House Bill No. 8, and I ask also to submit additional remarks for the record.

Thank you, Mr. President.

The PRESIDENT. Without objection, the remarks will be submitted.

*(The following prepared remarks were made a part of the record at the request of the gentleman from Schuylkill, Senator RHOADES:)*

HOUSE BILL 8  
CONTINUING PROFESSIONAL EDUCATION

Mr. President, I wish to make the following comments regarding the legislative intent of a very important section of House Bill No. 8.

Mr. President, I wish to clarify that section 1205.2(e) refers to a local school board's authority to disapprove payment for any continuing

professional education collegiate study, course, or program, activity or learning experience that is inconsistent with the school entity's local professional education plan.

The intent of that section is to identify that a school board can disapprove payment for a professional education option and not that a school board can refuse to allow a professional education option to count toward an educator's 180-hour continuing professional education requirement.

Although section 1205.2(e) is silent with regard to the term "payment," it is the only reasonable way in which that section can be read for two important reasons.

First, section 1205.2(e) is a distinct section. It stands apart from section 1205.2(c) - the section that identifies the types of activities that can count toward satisfaction of the continuing professional education requirement. Therefore, it is reasonable to determine that the disapproval to which the section refers is a disapproval separate from the authority to disapprove a continuing professional education option counting towards the 180-hour requirement.

Second, suggesting that section 1205.2(e) provides a school board with the authority to disapprove the counting of a continuing professional education option toward the 180-hour requirement would be to suggest that section 1205.2(e) is a mirror image of section 1205.2(c)(5). Section 1205.2(c)(5) provides a school board with the authority to allow a continuing professional education option outside of department-approved options and options included in a local school's professional education plan to count toward the 180-hour requirement. Of course, this section provides a school board with discretionary power, i.e., The power to disapprove an option that is not otherwise provided for.

Thus, because section 1205.2(c)(5) already invests school boards with the authority to approve or disapprove the counting of certain continuing professional education options toward the 180-hour requirement, it would be inconsistent to construe section 1205.2(e) as providing school boards with another layer of similar discretionary authority to make the same kind of disapproval.

Rather, the only reasonable interpretation of section 1205.2(e) is that it is intended to provide school boards with a wholly different authority - the authority of a school board to disapprove payment for a professional education option that is inconsistent with the goals of the local plan.

Mr. President, I hope that this serves as clarification of the General Assembly's intent on this most important issue.

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Schwartz.

Senator SCHWARTZ. Mr. President, I want to add my words of endorsement and support for House Bill No. 8. This has been in the works for a while. A lot of good, hard, thoughtful work has gone into this legislation. Many of us from the very beginning supported the requirement that our teachers keep up their skills on an ongoing basis, recognizing that the quality of our teachers, both where they start and where they continue, to be really up-to-date both on technique and content is extremely important to educating our children well in this Commonwealth. This bill, as I say, had really a lot of good thought, and a lot of different players were involved. The chairs of the Committees on Education in both the House and the Senate as well as the Members of the committees worked very hard with all the interested parties to really come up with a bill that is achievable and sets a goal for all of us in being able to be comfortable in saying that we will be assured that our teachers will continue their education and be lifetime learners as well, keep up their professional skills, and really be able to offer the children of the Commonwealth the kind of education we all want them to have.

So I fully support this legislation and ask all of my colleagues

to give an affirmative vote, and I am pleased to see it passed today.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

#### YEA-50

Armstrong	Greenleaf	Mellow	Stout
Belan	Hart	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tilghman
Boscola	Hughes	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Wagner
Comi	Kasunic	Punt	Waugh
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Dent	LaValle	Salvatore	Williams
Earl	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

#### NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### BILL OVER IN ORDER

HB 10 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

#### BILL AMENDED

HB 124 (Pr. No. 1962) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting sexual intercourse with animals; further providing for theft from a motor vehicle; and making the appearance in public while under the influence of a controlled substance an offense.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A2566:

Amend Title, page 1, line 4, by striking out "the appearance" and inserting: certain conduct

Amend Sec. 3 (Sec. 5505), page 2, line 21, by striking out the bracket before "Public"

Amend Sec. 3 (Sec. 5505), page 2, lines 21 and 22, by striking out ".] Under influence of alcohol or" in line 21, all of line 22 and inserting: and similar misconduct.



On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

**BILLS OVER IN ORDER**

**SB 234, SB 260 and HB 314** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 321 (Pr. No. 328)** -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of February 4, 1808 (P.L.34, No.18), entitled, "An act declaring part of Wallenpaupack Creek, in Wayne County, a Public Highway."

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I am speaking here for the record. We will be filing a copy of the proof of publication required by Article III, Section 7, of the Pennsylvania Constitution, and this establishes that certain public notice was given of the passage of this bill in accordance with our Constitution.

The PRESIDENT. That will be so noted.

(Proof of publication is on file with the Secretary of the Senate.)

And the question recurring,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

**YEA-50**

Armstrong	Greenleaf	Mellow	Stout
Belan	Hart	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tilghman
Boscola	Hughes	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Wagner
Conti	Kasunic	Punt	Waugh
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Dent	LaValle	Salvatore	Williams
Earl	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

**NAY-0**

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**BILL AMENDED**

**SB 332 (Pr. No. 1034)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for good Samaritan immunity for school employees; further providing for authority of teachers, vice principals and principals over pupils; providing for school policies for drug or alcohol violations, for conflict resolution training and for the requirements for governing adjudicated delinquents; further providing for the suspension and expulsion of pupils, for exceptional children, their education and training, for reporting of incidents of school violence and for transfer of records; providing for school violence reporting requirements for school employees, for school safety committees and for notification to parents and guardians of victims of school violence; and further defining "school."

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator GREENLEAF offered the following amendment No. A2294:

Amend Sec. 3 (Sec. 1317.4), page 5, by inserting between lines 3 and 4:

(4) Training of school counselors and teachers in the identification and referral for drug and alcohol evaluation of substance abusing pupils.

On the question,  
Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, I would like to briefly interrogate the maker of the amendment, if possible.

The PRESIDENT. Senator Greenleaf, would you stand for interrogation? The gentleman says he will, and, Senator Williams, you may proceed.

Senator WILLIAMS. Mr. President, I recognize that maybe the intent with regard to the amendment is something that is noteworthy, and I want to make sure that I understand what is being considered here, because as I read the amendment I got a little bit more concerned. It is my understanding that the maker of the amendment wants to try to provide technical training for employees of the school system, I guess specifically teachers, I am not sure others, principals, vice principals and the like, so that they may be able to identify potential students who are involved with illegal drugs and alcohol prior to their legal age. Is that accurate?

Senator GREENLEAF. Mr. President, it is.

Senator WILLIAMS. Mr. President, then the consequences of that recognition are what? Are they connected in terms of this amendment, or what is the result of a teacher or a trained pro-

professional identifying the child in the school system that is doing this?

Senator GREENLEAF. Mr. President, it merely provides for training because there may be school students, and I think there are, who may come to class, who are in class, who have been abusing and are under the influence of either alcohol or narcotics. What this amendment would do is provide some training for both counselors and teachers to identify that and then to train them in knowing what they can do to assist that student, have that child evaluated so they can get treatment. It is not necessary that they be prosecuted or anything like that. It is for them to evaluate those students if they come into class under the influence of either alcohol or narcotics, that we should have professionals in the schools who would be able to evaluate that situation and then take the appropriate evaluating steps.

Senator WILLIAMS. Mr. President, there is a difference of opinion or understanding of the law. I followed the gentleman up to the point of where we identify the child, but to my knowledge there is language which specifically talks to the consequences of identifying this child and there is a procedure which outlines a suspension, subsequent hearing, and then some other more severe penalties. And so the way it is being described sounds like it is an intervention to guide the child down the appropriate path when in reality, from my reading of the legislation, it is a process of identifying children who are involved in these illegal activities and sanctioning those children for their involvement.

Senator GREENLEAF. Mr. President, first of all, that is not in the amendment. There are provisions actually in the bill itself. What this amendment does is merely limits, particularly in regard to training of school counselors and teachers, for identification and referral. That is what it does, period.

Now, the bill itself in its present form outside the amendment deals with the different steps that are to be taken in regard to drug and alcohol violations in school, but that is not what the amendment is addressing. The amendment is addressing the training for these individuals so they can carry out their duties as teachers and hopefully help the school and the pupils who come to the school.

Senator WILLIAMS. Mr. President, I guess the problem I observe is that while it is with the best of intentions to have professionals identify children and provide them with guidance, the rest of the existing law would direct those who are identified to a path of sanctioning, and while the intent behind the amendment is not to sanction, the result is, because the law is constructed as such and the amendment is drafted to a piece of legislation that sanctions children who have these kinds of problems.

So either the amendment would have to be redrafted or I would have to understand how there is going to be a separation between the professional who now identifies the child, and I do not see in the amendment where it says that once the professional identifies the problem, the professional directs the child to this kind of counseling process and that kind of counseling process. The only thing that does exist in law is that there is a hearing and there are sanctions which are connected.

Senator GREENLEAF. Mr. President, I think the gentleman is talking about the bill, not the amendment. The amendment specifically says that there will be a referral for drug and alcohol evaluation of substance abusing pupils. That is what the amendment says. So the other sections to which the gentleman is referring are already in the bill. So he might want to vote against the bill. Unless we are talking about different amendments, I think that this amendment merely refers to training for school counselors and teachers for identification and referral for drug and alcohol evaluation of substance abusing pupils. There are already provisions in the bill dealing with violation of drug and alcohol policies a school district would adopt with regard to drug and alcohol violations, and all that. That is already in the bill.

Senator WILLIAMS. Mr. President, I recognize that. My point is that now we have another point of identifying and, as it is described in the amendment itself, training of school counselors and teachers in the identification and referral for drug and alcohol evaluation of substance abusing pupils. It does not speak to referral for remediation, prevention, counseling, or cure. It speaks to referral and evaluation of those students. The only process for evaluation or referral in the existing law which the gentleman is amending is that in which a child will be sanctioned to a hearing. Certainly the bill speaks to this, and certainly the amendment is connected to a bill that does something in the law. So while I hear the conversation of separating the two, you cannot separate the two. Once you draft this amendment, then you have an identifying source that leads to a hearing.

So I am trying to identify from the gentleman, while he may have had the best of intentions in drafting this, the consequences frankly can be quite punitive to a young person who is potentially going down the wrong path. I will end my period of interrogation and make my comments for the record.

Senator GREENLEAF. Mr. President, just to answer, if I might. I think it is important for us to establish in the Commonwealth of Pennsylvania drug-free schools. We should not tolerate pupils going into our school system and into the classroom under the influence of drugs or alcohol. If that is the case, then we should have policies set forth in our school system to take care of that situation, whatever is the appropriate step. And I would leave that to the school district to decide what steps should be taken, but we cannot tolerate pupils coming into the classroom under the influence of either drugs or alcohol. It is disruptive to the educational process because they act out many times. It is also disruptive to the other students who want to learn, and I think it is important for us to vote for this amendment because it will go a long way toward establishing drug-free schools in our Commonwealth, and I would urge a positive vote on the amendment.

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, in the pursuit of liberty we do a lot of things, and one of the things we always reflect upon in this body is the Constitution and everyone's rights. Young people have the same rights as adults. Those of us who are at some point marked with some wrongdoing, that certainly

should not follow us into adulthood. And while we talk about drug-free schools, I have been most adamant about drug-free schools, because frankly we in Philadelphia County have a scourge of them. I have been at the forefront of not only picketing those schools, being involved in law enforcement, and passing legislation to that end, but I am quite clear that a hand out rather than a hand on somebody's throat is the most appropriate path to follow.

I believe that we do need trained professionals in these school systems, and I would suggest that the gentleman follow his own school district, because I follow mine, and we do have trained professionals who deal with children and young people who are involved in drugs and illegal activity. We certainly do not have enough, and probably we should talk about funding them in greater amounts rather than training teachers, who are already overburdened with just providing basic education, to be an identifying source. If we are serious about providing counseling and some direction to young people, then we should just prescribe it as such. I do not subscribe to the notion that we have a problem, the house is on fire, we run out and find a garden hose. We need to find a firehouse with a fire truck and put out the fire. I do not think that we just jump up and do a knee-jerk reaction without studying what is going on with the system.

The system is underfunded with regard to drug and alcohol treatment. The system does need professional counselors. The system does require that we understand that young people are making inappropriate decisions every day in this environment. But what it does not need is another young person at the age of 14, 13, 12, or 10 earmarked in a public school system as a drug user, then further, rather than getting the appropriate counseling to remove them and finding out whether there is a problem in the household, no, what we are going to do is put them before a hearing process and have them repudiated for the rest of their life.

I do not think that is the best and most appropriate process that we can set out. I cannot see how we separate out and provide any mechanism for training the teachers and counselors and vice principals in this amendment that would provide any support mechanism. I think the only thing that exists in this amendment is a process by which a teacher now becomes an official identifier of a child who uses drugs, not a provider of a haven of protection. I think we provide another hammer upon a system that does not need a hammer in this area.

So there may be some positive attention, it certainly is not substantive in nature, it certainly is not going to solve a problem. What it will do is continue, unfortunately, to direct that young child who is headed down an inappropriate path to probably be frustrated that he no longer can correct his record, that he is considered a drug user and abuser, and that it will become a part of the official record, a part of his official body and further erode him in terms of the system that he pursues to be a positive example in our society.

So with all due respect to the maker of the amendment, I think that the best of intentions were overridden by a lack of study on how to correct this problem, and so unfortunately I have to be in opposition, and I suggest that anyone who is concerned about young people being involved in illegal drugs,

young people being involved in illegal drinking at an early age, they need to really get involved in funding the process, draft legislation which supports existing programs in school systems, provide mechanisms that protect teachers, and do not get involved in penalizing young people who are at an early age making decisions because they have an immature view of how things work.

Thank you, Mr. President.

And the question recurring,  
Will the Senate agree to the amendment?

The yeas and nays were required by Senator GREENLEAF and were as follows, viz:

#### YEA-47

Armstrong	Gerlach	Madigan	Stapleton
Belan	Greenleaf	Mowery	Stout
Bell	Hart	Murphy	Tartaglione
Bodack	Helfrick	Musto	Thompson
Boscola	Holl	O'Pake	Tilghman
Brightbill	Hughes	Piccola	Tomlinson
Conti	Jubelirer	Punt	Wagner
Corman	Kasunic	Rhoades	Wagh
Costa	Kukovich	Robbins	Wenger
Dent	LaValle	Salvatore	White
Earll	Lenmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	

#### NAY-3

Kitchen	Mellow	Williams
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A majority of the Senators having voted "aye," the question was determined in the affirmative.

On the question,  
Will the Senate agree to the bill on third consideration, as amended?

Senator MELLOW offered the following amendment No. A1936:

Amend Sec. 4 (Sec. 1318), page 9, line 21, by striking out "not"

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

#### BILL OVER IN ORDER

SB 405 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

#### BILL AMENDED

SB 442 (Pr. No. 488) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," further providing for the amount of scholarship awards.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW offered the following amendment No. A2571:

Amend Sec. 1 (Sec. 7), page 2, line 15, by inserting brackets before and after "of" where it appears the last time and inserting: established pursuant to the authority in

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 602 (Pr. No. 1191) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 14, 1992 (P.L.1116, No.145), entitled Wholesale Prescription Drug Distributors License Act, further defining "wholesale distribution of prescription drugs."

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-47

Armstrong	Gerlach	Mellow	Stout
Belan	Greenleaf	Mowery	Tartaglione
Bell	Hart	Murphy	Thompson
Bodack	Helfrick	Musto	Tilghman
Boscola	Holl	O'Pake	Tomlinson
Brightbill	Hughes	Piccola	Wagner
Conti	Jubelirer	Punt	Waugh
Corman	Kitchen	Robbins	Wenger
Costa	Kukovich	Salvatore	White
Dent	Lemmond	Schwartz	Williams
Earl	Loeper	Slocum	Wozniak
Fumo	Madigan	Stapleton	

NAY-3

Kasunic	LaValle	Rhoades
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A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 839 and SB 849 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS AMENDED

SB 925 (Pr. No. 989) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for the definition of "code of student conduct"; and requiring the adoption of a code of student conduct.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW offered the following amendment No. A2001:

Amend Sec. 2 (Sec. 1303-A), page 2, line 18, by inserting after "weapon": other than a firearm

Amend Sec. 3 (Sec. 1312-A), page 4, line 19, by inserting after "weapon": other than a firearm

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third consideration, as amended?

Senator MELLOW offered the following amendment No. A2324:

Amend Sec. 2 (Sec. 1303-A), page 2, line 21, by inserting after "firearm": , shotgun or rifle

Amend Sec. 3 (Sec. 1312-A), page 4, line 22, by inserting after "firearm": , shotgun or rifle

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on third consideration, as amended?

Senator BRIGHTBILL offered the following amendment No. A2376:

Amend Title, page 1, lines 5 and 6, by striking out "providing for the definition of "code of student conduct";" and inserting: further providing for the reporting of student conduct;

Amend Sec. 1 (Sec. 1301-A), page 2, line 3, by striking out "standards of"

Amend Sec. 3 (Sec. 1312-A), page 3, line 13, by removing the period after "entity" and inserting: and to every parent, guardian or other person having control or charge of a student.

Amend Sec. 3 (Sec. 1312-A), page 3, line 16, by striking out "define" and inserting: set forth

Amend Sec. 3 (Sec. 1312-A), page 3, lines 16 and 17, by striking out "who exhibit those behaviors." and inserting: who behave in such fashion.

Amend Sec. 3 (Sec. 1312-A), page 3, line 21, by striking out "not be" and inserting: are not

Amend Sec. 3 (Sec. 1312-A), page 3, line 27, by striking out "define" and inserting: set forth

Amend Sec. 3 (Sec. 1312-A), page 3, line 27, by striking out "but" and inserting: and

Amend Sec. 3 (Sec. 1312-A), page 3, line 28, by striking out "a" and inserting: the

Amend Sec. 3 (Sec. 1312-A), page 4, line 3, by striking out "not be" and inserting: are not

Amend Sec. 3 (Sec. 1312-A), page 4, line 12, by striking out "but" and inserting: and

Amend Sec. 3 (Sec. 1312-A), page 5, lines 14 and 15, by striking out "is taken in compliance with or" and inserting: taken is not inconsistent with or is

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

**SB 928 (Pr. No. 992)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, requiring reports of incidents of school violence to local law enforcement agencies.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW offered the following amendment No. A2000:

Amend Sec. 1 (Sec. 1318.1), page 2, line 4, by inserting after "weapon": other than a firearm

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third consideration, as amended?

Senator MELLOW offered the following amendment No. A2327:

Amend Sec. 1 (Sec. 1318.1), page 2, line 7, by inserting after "firearm": , shotgun or rifle

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill on third consideration, as amended?

Senator MURPHY offered the following amendment No. A2411:

Amend Title, page 1, line 6, by inserting after "to": parents or guardians and

Amend Sec. 1 (Sec. 1318.1), page 1, line 12, by inserting after "to": Parent or Guardian and

Amend Sec. 1 (Sec. 1318.1), page 1, line 14, by inserting after "the": parent or guardian and to the

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Wozniak has returned, and his temporary Capitol leave is cancelled.

### CONSIDERATION OF CALENDAR RESUMED

#### SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

**SB 19 (Pr. No. 1164)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, empowering the Governor to create an Aviation Advisory Committee to provide guidance to the Governor, the General Assembly, the Secretary of Transportation and the State Transportation Commission on aviation matters; and providing for the committee's powers and duties.

Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

#### BILLS OVER IN ORDER

**SB 8, HB 88, HB 192 and SB 262** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

#### BILL REREFERRED

**HB 371 (Pr. No. 384)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, adding a definition; and further providing for assistance to volunteer fire companies.

Upon motion of Senator BRIGHTBILL, and agreed to, the bill was rereferred to the Committee on Appropriations.

#### BILL ON SECOND CONSIDERATION

**SB 384 (Pr. No. 393)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for missing children; providing for a clearinghouse for missing children; and imposing powers and duties on the Pennsylvania State Police, local school districts and parents.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.

#### BILL OVER IN ORDER

**HB 443** — Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

#### BILL ON SECOND CONSIDERATION

**HB 456 (Pr. No. 1534)** — The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Safe and Secure Schools Program to assist school districts and area vocational-technical schools in the purchase of equipment, provision of special services and in the development of programs to enhance school safety, and providing for duties of the Department of Education.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.

#### BILLS OVER IN ORDER

**SB 555, SB 648, SB 669 and HB 739** — Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

#### BILL ON SECOND CONSIDERATION

**SB 769 (Pr. No. 799)** — The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Community and Economic Development to establish a program for continuing education of qualified tax collectors.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.

#### BILLS OVER IN ORDER

**HB 779, SB 818, SB 833, SB 844, SB 930, SB 949, HB 963, SB 977, SB 978, SB 983 and SB 993** — Without objection,

the bills were passed over in their order at the request of Senator BRIGHTBILL.

#### BILL ON SECOND CONSIDERATION

**SB 1000 (Pr. No. 1163)** — The Senate proceeded to consideration of the bill, entitled:

An Act designating the Capitol Annex Building as the Speaker Matthew J. Ryan Legislative Office Building and providing for its use; and making a repeal.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.

#### BILL OVER IN ORDER

**SB 1001** — Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

#### BILL REREFERRED

**SB 1002 (Pr. No. 1161)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for city natural gas distribution operations; and making repeals.

Upon motion of Senator BRIGHTBILL, and agreed to, the bill was rereferred to the Committee on Appropriations.

#### BILL ON SECOND CONSIDERATION

**SB 1004 (Pr. No. 1160)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1989 (P.L. 732, No. 101), entitled Election District Alteration and Data Reporting Act, further providing for alteration of election districts.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.

#### BILL OVER IN ORDER

**SB 1005** — Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

### COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator SALVATORE, from the Committee on Rules and Executive Nominations, reported a communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:

JUDGE, MUNICIPAL COURT

June 4, 1999

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frank Palumbo, 821 Catharine Street, Philadelphia 19147, Philadelphia County, First Senatorial District, for appointment as Judge of the Municipal Court of Philadelphia, to serve until the first Monday of January 2002, vice The Honorable Edward G. Mekele, resigned.

THOMAS J. RIDGE  
Governor

NOMINATION RETURNED TO THE GOVERNOR

Senator SALVATORE. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator SALVATORE, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

SECRETARY OF BANKING

May 26, 1999

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, David E. Zuern, 6521 Pheasant Run, Fairview 16415, Erie County, Forty-ninth Senatorial District, for appointment as Secretary of Banking, to serve until the third Tuesday of January 2003, or until his successor is appointed and qualified, vice Richard Rishel, Harrisburg, resigned.

THOMAS J. RIDGE  
Governor

SECRETARY OF HEALTH

April 28, 1999

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert S. Zimmerman, Jr., 202 Fox Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of Health, to serve until the third Tuesday of January 2003, or until his successor is appointed and qualified, vice Daniel F. Hoffman [sic], Hershey, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE MILK MARKETING BOARD

May 13, 1999

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Barbara Ann Grumbine, 970 Halfway Drive, Myerstown 17067, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Milk Marketing Board, to serve for a term of six years and until her successor is appointed and qualified, vice J. Robert Derry, Indiana, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

February 10, 1999

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph P. Muldowney, 1971 Howard Avenue, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2002 and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

NOMINATIONS LAID ON THE TABLE

Senator SALVATORE. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 124 (Pr. No. 1991) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting sexual intercourse with animals; further providing for theft from a motor vehicle; and making certain conduct in public while under the influence of a controlled substance an offense.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

**YEA-50**

Armstrong	Greenleaf	Mellow	Stout
Belan	Hart	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tilghman
Boscola	Hughes	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Wagner
Conti	Kasunic	Punt	Waugh
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Dent	LaValle	Salvatore	Williams
Earl	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

**NAY-0**

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**SB 442 (Pr. No. 1195)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 25, 1966 (1965 P.L. 1546, No. 541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," further providing for the amount of scholarship awards.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

**YEA-50**

Armstrong	Greenleaf	Mellow	Stout
Belan	Hart	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tilghman
Boscola	Hughes	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Wagner
Conti	Kasunic	Punt	Waugh
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Dent	LaValle	Salvatore	Williams
Earl	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

**NAY-0**

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

**SENATE RESOLUTION No. 81, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 1 of Supplemental Calendar No. 1, **Senate Resolution No. 81**, entitled:

A Resolution designating the week of June 5 through 12, 1999, as "Riverweek" in this Commonwealth in recognition of the value of Pennsylvania's rivers and streams and the efforts of Pennsylvania citizens who are committed to preserving water resources.

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Will the Senate adopt the resolution?

A voice vote having been taken, the question was determined in the affirmative.

**SENATE RESOLUTION No. 84, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 2 of Supplemental Calendar No. 1, **Senate Resolution No. 84**, entitled:

A Resolution declaring the week of June 7 through 13, 1999, as "Drug Treatment Court Week."

On the question,  
Will the Senate adopt the resolution?

A voice vote having been taken, the question was determined in the affirmative.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 3**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 928 (Pr. No. 1199)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L. 30, No. 14), entitled Public School Code of 1949, requiring reports of incidents of school violence to parents or guardians and local law enforcement agencies.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

**YEA-50**

Armstrong	Greenleaf	Mellow	Stout
Belan	Hart	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tilghman
Boscola	Hughes	O'Pake	Tomlinson
Brightbill	Jubelirer	Piccola	Wagner
Conti	Kasunic	Punt	Waugh
Corman	Kitchen	Rhoades	Wenger
Costa	Kukovich	Robbins	White
Dent	LaValle	Salvatore	Williams
Earll	Lemmond	Schwartz	Wozniak
Fumo	Loeper	Slocum	
Gerlach	Madigan	Stapleton	

**NAY-0**

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

**UNFINISHED BUSINESS  
DISCHARGE PETITION**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

In the Senate, June 9, 1999

**A PETITION**

To place before the Senate the nomination of Matthew L. Wolford, as Judge, Court of Common Pleas, Erie County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Matthew L. Wolford, as Judge, Court of Common Pleas, Erie County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

- Raphael J. Musto
- Robert J. Mellow
- Michael A. O'Pake
- Richard A. Kasunic
- J. Barry Stout
- Vincent J. Fumo

The PRESIDENT. This communication will be laid on the table.

**CONGRATULATORY RESOLUTIONS**

The PRESIDENT laid before the Senate the following resolutions, which were read, considered and adopted:

Congratulations of the Senate were extended to Mr. and Mrs. Charles Wiggins and to Edward Sambol by Senator Bodack.

Congratulations of the Senate were extended to Mr. and Mrs. Ralph McKinnon and to Grace Falcone Catino by Senator Boscola.

Congratulations of the Senate were extended to Irvin and Sandra Bails and to Joseph M. Feduska by Senator Costa.

Congratulations of the Senate were extended to Reverend and Mrs. Aaron Fox, Mr. and Mrs. Louis Jany and to Christopher John Frack by Senator Dent.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Eugene Diehl and to Michael Justin Hoinowski by Senator Gerlach.

Congratulations of the Senate were extended to Mr. and Mrs. Robert W. Markgraf, Lynn L. Pixley and to Hamburg, Rubin, Mullin, Maxwell and Lupin, of Lansdale, by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas Erdely and to Robert J. Powers by Senator Hart.

Congratulations of the Senate were extended to Mr. and Mrs. Harry R. Mattis, Sr., Mr. and Mrs. Kenneth Glen Sneiderman, Reverend Vernon McDormand, Ernest Swalki, John Allen Kimmel, Genevieve Helen Williams and to Edward Polites by Senator Helfrick.

Congratulations of the Senate were extended to Mr. and Mrs. Jerald L. Sacks, Mr. and Mrs. Thomas Costea, Mr. and Mrs. Jack Walker, Mr. and Mrs. Luther I. Davis, Mr. and Mrs. Richard F. Ormsby, Mr. and Mrs. Clarence Keith, Mr. and Mrs. Robert Grubb, Mr. and Mrs. Blaine Diehl, Mr. and Mrs. Marvin Stoner, Mr. and Mrs. Charles Wright and to Edward S. Walters by Senator Jubelirer.

Congratulations of the Senate were extended to Kathryn A. Powers by Senator Jubelirer and others.

Congratulations of the Senate were extended to Meyersdale Volunteer Fire Department and to the citizens of the Borough of Meyersdale by Senator Kasunic.

Congratulations of the Senate were extended to Eudora S. Bennett by Senator Lemmond.

Congratulations of the Senate were extended to Steve Pipitone by Senator Loeper.

Congratulations of the Senate were extended to Dominick DeNaples, Gerald Frost and to John A. McAndrews by Senator Mellow.

Congratulations of the Senate were extended to Thomas H. Beauduy and to John R. Fenstermacher by Senator Mowery.

Congratulations of the Senate were extended to Mr. and Mrs. Donald R. Patterson, JoAnn Elizabeth Cortes, Kevin Patrick Cannon, Randolph Alan Oswald, W. Bradley Rosner, Lauren C. Frank, Matthew E. Janairo, Ron Chiurazzi and to Kevin L. Quinn by Senator Murphy.

Congratulations of the Senate were extended to the Ladies Auxiliary of Victor Emmanuel of Reading by Senator O'Pake.

Congratulations of the Senate were extended to Shirley S. Disend by Senator Piccola.

Congratulations of the Senate were extended to Frank B. Clark by Senator Punt.

Congratulations of the Senate were extended to Frackville Senior Citizens and to the DeWald family by Senator Rhoades.

Congratulations of the Senate were extended to Ferman B. Moody by Senators Rhoades and Piccola.

Congratulations of the Senate were extended to Dr. Alice M. Hoffman by Senator Schwartz.

Congratulations of the Senate were extended to Mr. and Mrs. Ray Nowacki, Andrew Muntz, Wayne L. Minich, Jr., and to Maurice E. Simmons by Senator Slocum.

Congratulations of the Senate were extended to Mr. and Mrs. Joe Castranio and to Mr. and Mrs. Charles L. Watterson, Jr., by Senator Stapleton.

Congratulations of the Senate were extended to Mr. and Mrs. Bill Canan, Mr. and Mrs. John R. Lemley, Mr. and Mrs. Charles R. Slater, Mr. and Mrs. Bill Dugan, Mr. and Mrs. Edward Bauer, Hapchuk, Inc., of Washington and to Southwestern Pennsylvania Human Services, Inc., of Monessen by Senator Stout.

Congratulations of the Senate were extended to Joan Merion and to the Freedoms Foundation at Valley Forge by Senator Thompson.

Congratulations of the Senate were extended to Graci G. Murphy by Senator Tilghman.

Congratulations of the Senate were extended to Thomas Frederick, Larry Breiner and to LaRoy Davis by Senator Tomlinson.

Congratulations of the Senate were extended to Kurt Lauderman by Senator Wenger.

Congratulations of the Senate were extended to John J. and Cyrilla Dechant and to Paul T. Lieberum by Senator White.

Congratulations of the Senate were extended to Ruth Arlyne Price Campbell by Senator Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Miller, Mr. and Mrs. James Henry, Mr. and Mrs. Curtis Gilmore, Mr. and Mrs. David Crute, Mr. and Mrs. Charles W. Gibbons, Mr. and Mrs. George W. Petry, Mr. and Mrs. Alfred Leigey, Mr. and Mrs. Charles J. Kodis, Mr. and Mrs. Andrew Virostek, Mr. and Mrs. Glen L. Dobson and to Patrick F. Thomas by Senator Wozniak.

### CONDOLENCE RESOLUTION

The PRESIDENT laid before the Senate the following resolution, which was read, considered and adopted:

Condolences of the Senate were extended to the family of the late Grace Gladys Wilkinson by Senator Hughes.

### BILLS ON FIRST CONSIDERATION

Senator BELL. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to.

The bills were as follows:

**SB 706, SB 708, HB 76, HB 157 and HB 197.**

And said bills having been considered for the first time,  
Ordered, To be printed on the Calendar for second consideration.

### PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Wagner.

Senator WAGNER. Mr. President, within the last several months a number of veterans organizations and veterans within my senatorial district have been in touch with me about Pennsylvania's participation in the construction of a National World War II Memorial in Washington, D.C. I am talking about veterans organizations such as the VFW, American Legion, Disabled American Veterans, and a number of individuals, constituents of mine, Russell Reichert from Sewickley, Gus Sullivan from Brookline in the city of Pittsburgh, and I could go on and on. People asking me, Mr. President, why Pennsylvania is not a financial participant in the construction of this national memorial.

At the present time, Mr. President, it is important to note that there is no national memorial to World War II veterans in Washington, D.C. That is hard to believe. There is one for the Vietnam War, there is one for the Korean War, there is one for World War I. There are a number of other memorials, but there is no single memorial for World War II participants, veterans and civilians who participated in that conflict. And, Mr. President, it is 54 years after the end of World War II.

There is an effort going on countrywide that was initiated several years ago by President Clinton and is chaired by Senator Bob Dole to raise \$100 million to build this memorial. And basically, as part of contributions from the States, the committee to raise the money is asking each State to contribute \$1 for each resident of that State. So far seven States, Mr. President, have contributed the money. For instance, our neighbors in New York have contributed \$1.7 million. West Virginia, with a smaller population, has contributed \$25,000. And the States of Mississippi, Wisconsin, Utah, South Dakota, and Nebraska have all allocated dollars to that cause. Twenty-six States are presently considering legislation.

Mr. President, I rise today to talk about and ask for support of Senate Bill No. 1016, a piece of legislation that I introduced this week which would allocate \$1.3 million from Pennsylvania, a dollar for each of our 13 million citizens in Pennsylvania, and also the number of veterans who served this country during the Second World War, which is, Mr. President, coincidentally, the number of veterans who presently reside in Pennsylvania, approximately 1.3 million out of our 13 million population. I may have stated that in error earlier, which is approximately our veteran population here in Pennsylvania.

So I rise to ask my colleagues to please support this very important piece of legislation. If at any time, with our surplus, I think we have the capability financially of making that kind of contribution, similar to the 7 States that have already done it, 26 States and we are now the 27th State that has introduced legislation. There are still several out there that have not even considered the legislation, but certainly Pennsylvania has been a State with great history in terms of the contributions of our people to the defense of this country, and we simply need to look at the walls of this Senate Chamber, Mr. President, to remind us of those contributions. But perhaps the greatest generation in our history was the generation who lived and fought and worked during the Second World War in the defense of not just this country but the world. And some of those people, Mr. President, are our colleagues here in the Senate. Several of them, approxi-

mately a half-dozen of them, served during the Second World War and made great contributions. Our parents, my uncles, our moms, our grandparents, I could go on and on.

I think Pennsylvania needs to make a similar commitment to other States, and by this State contributing \$1.3 million, we also, I understand, Mr. President, would get a matching grant by an anonymous contributor here in Pennsylvania. So in essence, our \$1.3 million to building this Second World War memorial could potentially raise \$2.6 million, or more dollars than that, and Pennsylvania would be part of this magnificent memorial in dedication to and remembrance of a generation that gave of themselves, of which 500,000 Americans died in the Second World War, of which millions upon millions of other people made unlimited contributions in defense of this country and, more importantly, for the freedom of the world.

So I simply ask my colleagues to support Senate Bill No. 1016, and hopefully, Mr. President, I know there is not much time left before the summer recess, but that we could deal with this legislation in 1999.

Thank you.

**HOUSE MESSAGES**

**HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to HB 981, 982, 983, 984, 985, 992, 994, 1003 and 1004.

**HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to SB 740.

**BILLS SIGNED**

The PRESIDENT (Lieutenant Governor Mark S. Schweiker) in the presence of the Senate signed the following bills:

**SB 646, SB 740, HB 981, HB 982, HB 983, HB 984, HB 985, HB 992, HB 994, HB 1003 and HB 1004.**

**ANNOUNCEMENT BY THE SECRETARY**

The following announcement was read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, JUNE 10, 1999

10:00 A.M. PUBLIC HEALTH AND WELFARE Room 8E-A  
(public hearing on Tobacco Settlement) East Wing

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 2**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 332 (Pr. No. 1198)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for good Samaritan immunity for school employees; further providing for authority of teachers, vice principals and principals over pupils; providing for school policies for drug or alcohol violations, for conflict resolution training and for the requirements for governing adjudicated delinquents; further providing for the suspension and expulsion of pupils, for exceptional children, their education and training, for reporting of incidents of school violence and for transfer of records; providing for school violence reporting requirements for school employees, for school safety committees and for notification to parents and guardians of victims of school violence; and further defining "school."

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

**LEGISLATIVE LEAVES**

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Kitchen and Senator Williams.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Kitchen and Senator Williams. Without objection, those leaves will be granted.

And the question recurring,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

**YEA-48**

Armstrong	Gerlach	Madigan	Slocum
Belan	Greenleaf	Mellow	Stapleton
Bell	Hart	Mowery	Stout
Bodack	Helfrick	Murphy	Tartaglione
Boscola	Holl	Musto	Thompson
Brightbill	Hughes	O'Pake	Tilghman
Conti	Jubelirer	Piccola	Tomlinson
Corman	Kasunic	Punt	Wagner
Costa	Kukovich	Rhoades	Waugh
Dent	LaValle	Robbins	Wenger
Earl	Lemmond	Salvatore	White
Fumo	Loeper	Schwartz	Wozniak

**NAY-2**

Kitchen Williams

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

#### ADJOURNMENT

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I move the Senate do now adjourn until Monday, June 14, 1999, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 3:50 p.m., Eastern Daylight Saving Time.